

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: NATIONAL FOOTBALL LEAGUE  
PLAYERS' CONCUSSION INJURY  
LITIGATION

No. 2:12-md-02323 (AB)

MDL No. 2323

THIS DOCUMENT RELATES TO:

SHORT FORM COMPLAINT

Second Amended Master Administrative Long-  
Form Complaint against Riddell Defendants and  
*Lewis, et al. v. National Football League, et al.*,  
No. 2:13-cv-6159-AB

IN RE: NATIONAL FOOTBALL  
LEAGUE PLAYERS' CONCUSSION  
INJURY LITIGATION

JURY TRIAL DEMANDED

**SHORT FORM COMPLAINT AGAINST RIDDELL DEFENDANTS**

1. Plaintiff Annette Lawson, individually and as Executrix of the Estate of Odell Lawson, Sr., deceased, brings this civil action as a related action in the matter entitled IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS' CONCUSSION INJURY LITIGATION, MDL No. 2323.

2. Plaintiff is filing this Short Form Complaint against the Riddell Defendants as required by this Court's Case Management Order ECF No. 8472, filed October 24, 2017.

3. Plaintiff continues to maintain claims against Riddell Defendants after a Class Action Settlement was entered into between the NFL Defendants and certain Plaintiffs.

4. Plaintiff incorporates by reference the allegations (as designated below) of the Second Amended Master Administrative Long-Form Complaint Against Riddell Defendants, as is fully set forth at length in this Short Form Complaint.

5. Plaintiff is filing this case in a representative capacity as the Executrix of the Estate of Odell Lawson, Sr., having been duly appointed as the Executrix by the 24<sup>th</sup> Judicial District

Court of Jefferson Parish, Louisiana. Copies of the Letters of Administration/Letters Testamentary for a wrongful death claim are annexed hereto if such Letters are required for the commencement of such a claim by the Probate, Surrogate or other appropriate court of jurisdiction of the decedent.

6. Plaintiff Annette Lawson is the surviving spouse of Odell Lawson, Sr., deceased. Plaintiff Annette Lawson is a resident and citizen of Louisiana, and claims damages as set forth below.

7. Decedent Odell Lawson, Sr. played in the National Football League (“NFL”) from 1971 – 1974 for the New England Patriots, San Francisco 49ers, and New Orleans Saints, all member clubs of the NFL.

8. Upon information and belief, the Decedent sustained repetitive, traumatic sub-concussive and/or concussive head impacts during NFL games and/or practices. Upon information and belief, Decedent suffered from symptoms of brain injury caused by the repetitive, traumatic sub-concussive and/or concussive head impacts the Decedent sustained during NFL games and/or practices. Upon information and belief, the Decedent’s symptoms arose from injuries that were latent and developed over time.

9. The original complaint by Plaintiff in this matter was filed in the United States District Court for the Eastern District of Louisiana. If the case is remanded, it should be remanded to the United States District Court for the Eastern District of Louisiana.

10. Plaintiff claims damages as a result of [check all that apply]:

- ☒ Injury to Herself/Himself
- ☒ Injury to the Person Represented
- ☒ Wrongful Death
- ☒ Survivorship Action

- ☒ Economic Loss
- ☒ Loss of Services
- ☒ Loss of Consortium

11. As a result of the injuries to Decedent, Plaintiff suffers from a loss of consortium, including the following injuries:

- ☒ Loss of martial services;
- ☒ Loss of companionship, affection or society;
- ☒ Loss of support; and
- ☐ Monetary losses in the form of unreimbursed costs she has had to expend for the health care and personal care of her husband.

12. Plaintiff reserves the right to object to federal jurisdiction.

13. Plaintiff brings this case against the following Defendants in this action [check all that apply]:

- ☒ Riddell, Inc.
- ☒ All American Sports Corp.
- ☒ Riddell Sports Group, Inc.
- ☒ BRG Sports, Inc.
- ☒ BRG Sports Holdings Corp.
- ☒ Easton-Bell Sports, LLC
- ☒ EB Sports Corp.
- ☒ BRG Sports, LLC

14. The Decedent wore one or more helmets designed and/or manufactured by the Riddell Defendants during one or more years Decedent played in the National Football League (“NFL”) and/or the American Football League (“AFL”).

15. Decedent played in ☒ the NFL and/or in ☐ the AFL during the following period of time 1971 – 1974 for the following teams: New England Patriots, San Francisco 49ers and New Orleans Saints.

16. Decedent retired from playing professional football after the 1974 season.

### **CAUSES OF ACTION**

17. Plaintiff herein adopts by reference the following Counts of the Second Amended Master Administrative Long-Form Complaint Against Riddell Defendants, along with the factual allegations incorporated by reference in those Counts [check all that apply]:

- ☒ Count I (Negligence)
- ☒ Count II (Negligent Marketing)
- ☒ Count III (Negligent Misrepresentation)
- ☒ Count IV (Fraud)
- ☒ Count V (Strict Liability/Design Defect)
- ☒ Count VI (Failure to Warn)
- ☒ Count VII (Breach of Implied Warranty)
- ☒ Count VIII (Civil Conspiracy)
- ☒ Count IX (Fraudulent Concealment)
- ☒ Count X (Wrongful Death)
- ☒ Count XI (Survival Action)
- ☒ Count XII (Loss of Consortium)
- ☒ Count XIII (Punitive Damages under All Claims)
- ☒ Count XIV (Declaratory Relief: Punitive Damages)

18. Plaintiff asserts the following additional causes of action [write in or attach]:

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**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff prays for judgment as follows:

- A. An award of compensatory damages, the amount of which will be determined at trial;
- B. An award of economic damages in the form of medical expenses, out of pocket expenses, lost earnings and other economic damages in an amount to be determined at trial;
- C. For loss of consortium as applicable;
- D. For punitive and exemplary damages as applicable;
- E. For all applicable statutory damages of the state whose laws will govern this action;
- F. For declaratory relief as applicable;
- G. For an award of attorneys' fees and costs;
- H. An award of prejudgment interest and costs of suit; and
- I. An award of such other and further relief as the Court deems just and proper.

**JURY DEMANDED**

Pursuant to Federal Rule of Civil Procedure 38, Plaintiff hereby demands a trial by jury on all issues so triable.

Dated: November 28, 2017

Respectfully submitted,

s/ David B. Franco  
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*Counsel for Plaintiff*

TWENTY FOURTH JUDICIAL DISTRICT COURT  
FOR THE PARISH OF JEFFERSON  
STATE OF LOUISIANA

CASE NUMBER: 661-994

DIVISION *O*

IN RE:  
SUCCESSION OF ODELL LAWSON, SR.

Filed: \_\_\_\_\_, 2008

Deputy

FILED FOR RECORD  
08 JUL 15 PM 1:55  
*Masie Comeaux*  
DEPUTY CLERK  
PARISH OF JEFFERSON, LA  
Court

LETTERS OF ADMINISTRATION

In the matter of Succession of Odell Lawson, Sr., Annette Malone Lawson  
praying to be appointed as Executrix:

This is to certify to all whom it may concern:

That on the 15 day of July, 2008, an application was made  
to the Honorable Judge of the Twenty Fourth Judicial District Court in and for the Parish  
of Jefferson, State of Louisiana, by Annette Malone Lawson, praying that she might be  
permitted to qualify and take the oath as Testamentary Executrix of the estate of her  
husband, Odell Lawson, Sr..

NOW THEREFORE, Annette Malone Lawson is hereby fully authorized and  
empowered to discharge and perform all and singular the duties appertaining to the said  
appointment, with full and complete power of administration, according to law.

THUS DONE AND SIGNED officially in my office, in the City of Gretna,  
Parish, of Jefferson, State of Louisiana, on this the 15 day of July,  
2008.

*Masie Comeaux*

Clerk of the Twenty Fourth Judicial District  
Court for the Parish of Jefferson,  
State of Louisiana

A TRUE COPY OF THE ORIGINAL  
ON FILE IN THIS OFFICE.  
*Masie Comeaux*  
DEPUTY CLERK  
24TH JUDICIAL DISTRICT COURT  
PARISH OF JEFFERSON, LA

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